

# EXHIBIT I

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF NEW YORK

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NEW YORK STATE TEAMSTERS CONFERENCE PENSION  
AND RETIREMENT FUND, by its Trustees, John Bulgaro,  
Daniel W. Schmidt, Michael S. Scalzo, Sr., Tom J. Ventura,  
Bob Schaeffer, Eugene Delorme and Brian Hammond

Plaintiffs,

**AFFIDAVIT OF  
CONFESSION OF  
JUDGMENT**

-against-

Case No.:

EBER BROS. WINE AND LIQUOR CORPORATION

Defendant.

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STATE OF NEW YORK  
COUNTY OF MONROE ss.:

Wendy Eber, being duly sworn, deposes and says that:

1. I am an officer of the above-captioned defendant and am duly authorized to make this Affidavit of Confession of Judgment ("Affidavit") on its behalf.
2. The defendant hereby confesses judgment and authorizes entry thereof against it in the sum of ONE MILLION, FOUR HUNDRED TWENTY-ONE THOUSAND, TWENTY NINE DOLLARS AND 95/100 (\$1,421,029.95).
3. This Affidavit is for a debt justly due and owing to the plaintiffs arising from the assessment of an employer withdrawal liability under the Employee Retirement Income Security Act of 1974, as

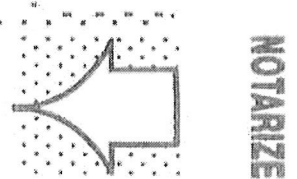
amended by the Multi-employer Pension Plan Amendments Act of 1980, against the defendant.

Wendy Eber  
Wendy Eber  
Duly authorized agent and representative  
for the defendant

CONNECTICUT  
STATE OF ~~NEW YORK~~ )  
NEW HAVEN ) ss.:  
COUNTY OF MONROE )

On the 1<sup>st</sup> day of <sup>Aug.</sup> June, 2012, before me personally came Wendy Eber, known to me as the individual named in and who executed the foregoing Affidavit of Confession of Judgment and she acknowledged to me that she was competent to execute the Affidavit of Confession of Judgment on behalf of the defendant and that on this day she executed same.

Lorrie L. Oberdorfer  
NOTARY PUBLIC  
LORRIE L. OBERDORFER  
NOTARY PUBLIC  
State of Connecticut  
My Commission Expires  
May 31, 2015



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NEW YORK STATE TEAMSTERS CONFERENCE PENSION  
AND RETIREMENT FUND, by its Trustees, John Bulgaro,  
Daniel W. Schmidt, Michael S. Scalzo, Sr., Tom J. Ventura,  
Bob Schaeffer, Eugene Delorme and Brian Hammond

Plaintiffs,

-against-

EBER BROS. WINE AND LIQUOR CORPORATION

Defendant.

Address of Plaintiffs:  
151 Northern Concourse  
Syracuse, NY 13212

JUDGMENT BY  
CONFESSION

Case No.:

Amount Confessed.....	\$1,421,029.95
Interest.....	TBD
Cost by Statute.....	TBD
Transcript.....	TBD
Fees on Execution.....	TBD
Satisfaction.....	TBD
Filing Fee.....	TBD
TOTAL.....	\$1,421,029.95

STATE OF NEW YORK, COUNTY OF ONEIDA

ATTORNEY'S AFFIRMATION

The undersigned, attorney-at-law of the State of New York, affirms that he is a partner in the law firm of Paravati, Karl, Green & DeBella, LLP, the attorneys of record for the plaintiffs herein, and states that the judgment confessed by the defendant is true and accurate under the penalties of perjury.

Dated: \_\_\_\_\_, 201\_\_

\_\_\_\_\_  
Vincent M. DeBella, Esq.

JUDGMENT entered the \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_

On filing the foregoing AFFIDAVIT OF CONFESSION OF JUDGMENT made by Wendy Eber, on behalf of the defendant named herein, sworn to the \_\_\_\_\_ day of July, 2012,

NOW, ON MOTION OF Paravati, Karl, Green & DeBella, LLP, Vincent M. DeBella, Esq. attorneys for plaintiffs, it is hereby

ADJUDGED that the plaintiffs, New York State Teamsters Conference Pension & Retirement Fund and its Board of Trustees, doing business at 151 Northern Concourse, Syracuse, NY 13212, do recover from the following defendant: Eber Bros. Wine and Liquor Corporation with offices at 95 Allens Creel Road, Building 2, Suite 10, Rochester, New York 14618, the sum of ONE MILLION, FOUR HUNDRED TWENTY-ONE THOUSAND, TWENTY NINE DOLLARS AND 95/100 (\$1,421,029.95) with interest, costs and disbursements and that the plaintiffs have execution therefore.

Clerk \_\_\_\_\_

DATED: \_\_\_\_\_, 201\_\_